

Application No. 09/729,836

Atty. Docket No. 01-104-RCE

REMARKS

Reconsideration of the present application is respectfully requested.

Claim 23 has been amended to correct noted discrepancies in the claim language to conform the claim language to that which is the invention and not in response to any of the outstanding prior art rejections. Support for this change regarding the checking of a match between the ECU and the rewriting device using access information received from the external device can be found, for example, in FIG. 2 at rewriting device process blocks B4, B7 and B8 and at ECU process blocks B5, B6 and B9, with "F" being the access information received from the external device.

The Examiner should note that the term "external device" appearing on the last line of claim 23 was inadvertently amended to "rewriting device" in the Rule 116 Amendment filed on July 26, 2005. However, the term "external device" recited in the penultimate line of claim 23 as it appears in the July 26th Amendment should have been amended to "rewriting device." Therefore, "rewriting device" in the last line of the claim has been amended back to "external device," and "external device" in the penultimate line of the claim has been amended to "rewriting device."

Regarding the rejection of claim 23 under 35 USC 103(a) as being obvious in view of the combination of Schmitz and Koelle, the Examiner should consider the previously-submitted remarks regarding the Examiner's rejection of claim 23 in view of the changes noted below in underlined form.

Application No. 09/729,836

Atty. Docket No. 01-104-RCE

As noted by Applicants, Schmitz does not teach processing means for checking a match between an electronic control unit and the rewriting device by using access information received from the external device.

Also, as with Schmitz, Koelle is devoid of any teaching or suggestion of a rewriting device (such as the rewriting device 20 in the present invention) that checks a match between an electronic control unit and itself by using access information received from an external device (such as the control center 30 in the present invention).

In view of the above remarks, Applicants assert that the present application is now in condition for allowance, and respectfully requests a Notice to that effect.

Please charge any necessary fees to Deposit Account No. 50-1147.

Respectfully submitted,



David G. Posz
Reg. No. 37,701
Customer No. 23400

DGP

Posz Law Group, PLC
12040 South Lakes Drive
Suite 101
Reston, VA 20191
(703) 707-9110